

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.5516 of 1997

with

CIVIL APPLICATION No.10031 of 1998

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For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

1 to 5 : NO

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FATESINH VAJESINH RATHOD

Versus

STATE OF GUJARAT

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Appearance:

MR BM MANGUKIYA for Petitioner

GOVERNMENT PLEADER for Respondent No. 1

MR MUKESH R SHAH for Respondent No. 3

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CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 18/11/98

COMMON ORAL JUDGEMENT :

Heard the learned counsel for the parties. The petitioner - Sarpanch was suspended by the District Development Officer, Panchmahalas District Panchayat, respondent no.3 herein under the provisions of sec.59(2)

of the Gujarat Panchayats Act, 1993 ("the Act" for brevity). The petitioner preferred appeal against the said order to the Development Commissioner under sec.59(3) of the Act. No interim relief was granted. Hence the petitioner approached this Court by way of the present petition.

2. Without going into merits of the case, it is considered just and proper to direct the Development Commissioner, respondent no.2, to dispose of the appeal filed by the petitioner within the period of three months from the date of receipt of the writ of this judgment. Till the said appeal is decided interim relief granted by this Court shall continue. The interim relief shall further continue for the period of one week from the date of the communication of the decision of the appeal.

3. The Special Civil Application is accordingly disposed of. No order as to costs.

4. No orders on Civil Application No.10031 of 1998.

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